

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE:

GENERAL MOTORS LLC
IGNITION SWITCH LITIGATION

This Document Relates to:
Plaintiff Alner Simmonds
in the Following Case: 1:15-cv-05222;
Atz, et al. v. General Motors, LLC

No. 14-MD-2543 (JMF)

~~No. 14-MC-2543 (JMF)~~

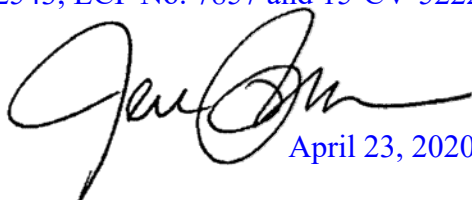
Hon. Jesse M. Furman

**MOTION TO VACATE ORDER (DOC. 299 AND 14-MD-2543-JMF Doc. 7857)
AND TO WITHDRAW MOTION (DOC. 296)**

Counsel for the above-referenced Plaintiff respectfully move the Court to vacate its order (Doc. 299 and 14-MD-2543-JMF Doc. 7857) on Plaintiff's Motion to Withdraw (Doc. 296) and to withdraw Plaintiff's motion (Doc. 296) from the docket. After further discussions with Defendant's counsel, the parties' counsel agree that the procedure set forth in Federal Rule of Civil Procedure 25(a) is the appropriate process here rather than Plaintiff's counsel's withdrawal from the case, given that Plaintiff is deceased and no person has yet been identified as a potential representative of decedent in the case. Plaintiff's counsel intends to file promptly a Suggestion of Death for Plaintiff.

WHEREFORE, Plaintiff's counsel respectfully asks that the Court grant this motion, that it vacate its prior Order (Doc. 299 and 14-MD-2543-JMF Doc. 7857), and that Plaintiff's prior Motion to Withdraw (Doc. 296) be withdrawn from the docket.

Application GRANTED, except to the extent that it requires docket entries to be removed. The Clerk of Court is directed to terminate 14-MD-2543, ECF No. 7870 and 15-CV-5222, ECF Nos. 296 and 302, and to vacate 14-MD-2543, ECF No. 7857 and 15-CV-5222, ECF No. 299. SO ORDERED.


April 23, 2020

Dated: April 23, 2020

Respectfully Submitted,

BAILEY COWAN HECKAMAN PLLC

/s/ Robert W. Cowan

K. Camp Bailey

Robert W. Cowan

Laurence Tien

5555 San Felipe St., Suite 900

Houston, Texas 77056

Telephone: (713) 425-7100

Facsimile: (713) 425-7101

cbailey@bchlalaw.com

rcowan@bchlalaw.com

ltien@bchlalaw.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I, Robert W. Cowan, hereby certify that on April 23, 2020, I electronically filed the foregoing Document using the CM/ECF system which will serve notifications of such filing to the email of all counsel of record in this action.

/s/ Robert W. Cowan

Attorney for Plaintiff